

## Regional Government in England

There is growing interest in regional government, stimulated by pressures from Europe, from local government, the new Government Offices for the Regions and the proposals of the political parties. This report takes these developments and proposals as its starting point and defines the key choices about objectives and practical means of implementation. Its findings are as follows:

Democratic control at a sub-national level could be increased in a number of ways. At a regional level the most likely models to be adopted are:

- indirectly elected Regional Chambers (a confederation of local authorities).
- directly elected Regional Assemblies (an independent tier).

It would be possible to establish directly elected Assemblies in one move; but this might not match popular demand, which varies from region to region. There is likely to be a period of transition with some or all regions establishing Chambers as an interim stage. A key choice is between a process of rapid transition and one which allows for a staged process of development.

A Government could support progress to Regional Chambers by publishing a White Paper and including a clear statement of intent about further stages. However, without some legislative backing there would be significant limitations on what Chambers could achieve.

The functions of Regional Chambers would include:

- strategic co-ordination of land-use planning, transport, environmental and economic development and European funding bids. Central to this approach would be bringing together existing regional bodies and harnessing them to a common regional agenda.
- democratic oversight of quangos and related bodies at a regional level – although there is an inherent difficulty in Chambers acting in partnership with regional bodies, while at the same time holding them to account.

Only with a move to directly elected Regional Assemblies could there be significant devolution of central government functions and the exercise of executive powers at a regional level.

There is a number of possible models for Regional Assemblies, involving different degrees of devolution. It might be necessary to accommodate a pattern under which Assemblies existed in some regions and not in others; or Assemblies with varying functions and powers.

## Regional Government in England

Current proposals for regional government in England are a response to: growing dissatisfaction with highly centralised government; a decline in the autonomy of local government and a perceived failure to address regional economic development and strategic planning needs. Discontent with rule from London has been reinforced by 17 years of single party Government at Westminster, whilst interest in regional government in England has been boosted by the prospect of wider constitutional change: a regional dimension in European Union affairs; and - most acutely - the possibility of a Scottish Parliament, Welsh Assembly and an authority for London (all advocated by the opposition parties).

Both the Labour Party and the Liberal Democrats have put forward plans for democratic regional assemblies in England, although their proposals differ significantly as to the speed of change, the role and functions of assemblies and their long term constitutional status. The Conservative Party has not traditionally supported regional government, but in the last two years the current Government has carried out its own regional initiative in creating Government Offices for the Regions, integrating the regional administration of central government functions.

## The Case for Regional Government

A workable and durable regional tier requires clear analysis of the reasons why it is to be established and the role and functions it is to perform. Arguments advanced in favour of regional government are both democratic and functional.

**Democratic** Regional identity requires democratic recognition:

- for those parts of England where the national governing party commands little support, there is a need to provide a regional means of satisfying the political disfranchisement felt.
- a *de facto* layer of regional administration through Government Offices, agencies and quangos has grown up, which needs democratic supervision in the region.

**Functional** Local authorities and other representative bodies agree that there are certain functions whose effective operation needs areas larger than local authorities but smaller than England as a whole. These are:

- strategic land use planning.
- transport.
- economic development.
- putting together, and implementing programmes for EU funding.

## Options for Change

The test of seriousness of a Government's purpose in establishing a new regional tier will be its willingness to take positive steps to devolve power to local government or new regional bodies. There is a number of models which would increase democratic control at a sub-national level:

- restoring local government powers and functions.
- regional parliamentary assemblies composed of MPs and perhaps MEPs.
- a confederation of local authorities through appointed (or elected) representatives.
- directly elected assemblies.
- a body based on the rationalisation and merger of bodies operating in the region which are of a strategic nature (police, health, regional arms of selected quangos and other agencies).

These are not mutually exclusive, but most promising at regional level are the models of indirectly elected Regional Chambers (a confederation of local authorities) and directly elected Regional Assemblies (an independent tier) which are adopted as the framework of this report. These broadly equate to the bodies proposed by the Labour Party, and in the case of Assemblies to the regional authorities proposed by the Liberal Democrats.

## Some Basic Objectives

Chambers need to meet the basic objectives of utility and credibility; they should have a coherent group of powers and responsibilities which would continue to make sense even if the transition to directly elected Assemblies were never made. The functions should be sufficient to give a fair test of a distinct step on the road to regional devolution.

In addition, considerations of equity, distribution of power and clarity need to be kept in mind when establishing both Chambers and Assemblies. National standards may need to be balanced against regional autonomy. The relationships between new regional bodies and existing institutions must be clear and well understood if they are to be useful and command support.

## Process of Establishment

It is a major leap to directly elected and powerful devolved assemblies in England. Given the necessary political will, it would be possible to move straight to directly elected Assemblies. However, the uneven support for regional government points to a period of transition which could vary considerably from region to region and would involve the establishment of Chambers as an interim stage. A key choice, with practical implications, is between a process of rapid transition and one which allows for a staged process of development.

- **Rapid transition** would establish the Regional Chambers as essentially preparatory to an early move to directly elected Assemblies. Legislation would be needed to provide for Regional Assemblies from the outset; the role of the Regional Chambers, being transitional only, would be less significant.
- **Staged transition** would assume that the Chambers are potentially a permanent state and certainly one that is self-contained. The creation of Regional Assemblies later would depend on demand.

## Regional Chambers

A credible national pattern of Chambers would need a number of decisions by Government on the following issues.

**Functions** The functions of Regional Chambers would be likely to include strategic co-ordination of land-use planning, transport, environmental and economic development and European funding bids. Central to this approach would be the development of a regional strategy. Such a strategy would be linked with strategic planning guidance and transport plans for the region. Regional Development Agencies - if established - would have a key role in implementation, in partnerships with the Government Office, and with other regional actors: regional quangos, the business community, the voluntary sector, and training and educational bodies.

The other main function proposed for Chambers is democratic oversight of quangos and related bodies at a regional level. As quangos are responsible to and funded by central government, a decision to make them regionally accountable would require a Government initiated review of their terms of reference to establish whether, and if so how, they are to be more responsive to regional requirements.

Two main models for democratic oversight of quangos have been advanced: scrutiny and partnership. There is an inherent difficulty in proposing that the Chambers should act in partnership with regional quangos and other agencies, while at the same time scrutinising them and possibly invoking sanctions as a consequence. Partnership would be easier to secure with a collaborative version of the scrutiny role.

The Government Offices for the Regions exist to co-ordinate and deliver central government functions in the regions: their instructions and resources are provided by Ministers. Even with the establishment of a regional tier of government, there will be a continuing need for central government presence in the regions. These central government operations can give an account, but cannot be called to account by

indirectly elected Regional Chambers; their accountability must follow their lines of political control upwards to Whitehall and ministers.

**Boundaries** If progress is to be made quickly, there is a strong case for adopting an existing pattern of boundaries for the Chamber stage. Where there are differences between the boundaries of the Government Offices and regional associations, a short period of consultation should be provided for deciding about Cumbria, Merseyside and the North West; and the South East. Assuming that a new strategic authority is established for London, a key requirement in the South East is that the regional structure should provide for effective resolution of the major land use planning decisions of the region as a whole, including London.

**Representation** Membership of the Chambers should provide a sense of regional ownership of the Chambers, ensuring the representation of sub-regional interests, of different types of local authority, and reflecting the political balance of the region. A decision is required on how to provide for the representation of non-elected members in recognition of the need for Chambers to work with partners in the business and voluntary sectors, as local authorities have increasingly done in recent years.

**Finance** The strategic and deliberative nature of Chambers' functions means their expenditure would be small, but greater than that of the existing regional associations. They should be financed, if there is legislation, by precepting on local authorities, and be subject to the same rules on expenditure limitation as existing local authorities.

**Is Legislation Required?** A White Paper could support progress to Regional Chambers by publicly committing a Government and including a clear statement of intent about further stages. However, without some legislative backing there would be significant limitations on what Chambers could achieve. They would lack the authority which legislative establishment provides, funding would depend on voluntary agreement and the extent of their activities must derive from their constituent local authorities' powers and could be disputed. There would be substantial advantage in giving legislative backing to Chambers at an early stage. This need contain only minimum provisions for establishing Chambers.

## Regional Assemblies

Direct election of Regional Assemblies would make significant devolution of central government functions feasible. Direct election of a regional body would produce lines of decision making and accountability that would make possible the exercise of executive powers at a

**regional level.** Without clear definition of such powers, it is doubtful whether a transition from indirectly elected Chambers to directly elected Assemblies would be justified or would command enough support from the electorate in the regions.

**Functions** There is a number of possible models for Regional Assemblies, involving different degrees of decentralisation. Further public debate is needed before decisions are made. A fundamental decision will be the extent to which central government is prepared to give up powers to a regional tier. Directly elected bodies could in theory take on only the functions of Regional Chambers, but little would be gained by the time and effort involved. There could even be a net loss because, unlike Chambers, Assemblies would not provide a forum for local government co-operation. A second major decision is how far the Assemblies would assume the function of allocating resources between local authorities: the latter would not welcome this.

In legislating for Regional Assemblies, a decision would need to be taken about whether variation between the regions could be tolerated and, if so, in which areas and to what extent. It would be necessary to determine whether there are areas of activity or issues relating to the composition, structures and organisation of Assemblies which demand uniform treatment; and whether there are items where variation would be possible or even positively desirable.

**Boundaries** The main decision required in relation to boundaries is whether the same boundaries should be maintained for Chamber and Assembly stages; and if there is a change, who should decide the new boundaries and how. Proposed boundaries could be subject to a referendum, which in some regions may be the only practical way in which decisions about boundaries could gain sufficient recognition to safeguard their long-term acceptance.

**Representation** The geographical distribution of party political support strengthens the possibility of one party domination at regional level. There is therefore a strong case for electing Regional Assemblies by a system of proportional representation.

**Finance** The method of funding Regional Assemblies needs to be appropriate in light of their functions. Funding should follow functions allocated to the Assemblies. There are various feasible sources of finance for Regional Assemblies, principally: a block grant from central government, a regional income or sales tax, a precept or a combination of these.

**Legislation** The uneven progression to Regional Assemblies which seems likely will make framing the legislation difficult. In particular, it would have to accommodate the establishment of Assemblies at different times, and may also need to allow for the creation of Assemblies with different sets of powers.

### About the report

The Constitution Unit is a research project set up in April 1995 to conduct an independent inquiry into the implementation of constitutional reform. The Unit aims to: analyse current proposals for constitutional reform; explore the connections between them; and identify the practical steps involved in putting constitutional reforms in place.

A series of reports is being published by the Unit during 1996. Each report will be accompanied by a briefing. The reports deal with the practicalities of planning and legislating for constitutional reform; reform of the House of Lords; the introduction of devolved assemblies in Scotland, Wales and the English regions; human rights legislation; the relationship between constitutional reform in the UK and changes in Europe; and the conduct of referendums.

In the preparation of this report, the Unit has been assisted by a wide network of experts, and has benefited greatly from the advice of a Consultative Group, chaired by Paul McQuail, comprising: Sir Jeremy Beecham, David Edmonds, Professor Malcolm Grant, Rita Hale, John Harwood, Pat Kneen, Professor Janice Morphet, Professor Gerry Stoker and Tony Travers. Neither our advisers nor the Faculty of Laws, University College London (where the Unit is based) are responsible for the conclusions and recommendations of this report, which are those of the Unit alone.

Copies of reports can be obtained direct from the Unit at a cost of £10 each. Briefings are available free of charge. The information in this briefing also appears in the Joseph Rowntree Foundations's Findings series.



The Constitution Unit  
4 Tavistock Place  
London WC1H 9RA

Tel: 0171 209 1162

Fax: 0171 209 1163

E-mail: [constitution@ucl.ac.uk](mailto:constitution@ucl.ac.uk)

James Cornford (Chairman), Robert Hazell (Director)

Advisory Committee

Sir Kenneth Bloomfield, Nigel Forman MP, Sir William Fraser, Pamela Gordon, Alan Howarth MP, Lord Lester QC, Janet Lewis-Jones, Robert MacLennan MP, Professor David Marquand, Andrew Marr, Professor Gavin McCrone, Professor Dawn Oliver, Professor Keith Patchett, Dr Anthony Wright MP

Funded by

Esmée Fairbairn Charitable Trust, Nuffield Foundation, Joseph Rowntree Charitable Trust, The Pilgrim Trust, The Barrow Cadbury Trust.

**JR**  
JOSEPH  
ROWNTREE  
FOUNDATIONS

Funding from the Joseph Rowntree Foundation has been specifically directed at the Unit's work on regional government in England, but the material presented here represents the findings of the authors, not necessarily those of the Foundation.